

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

JOSEPH MICHAEL DEVON ENGEL,

Plaintiff,

v.

ERDCC, et al.,

Defendants.

Case No. 4:20-CV-01832-SEP

MEMORANDUM AND ORDER

This matter is before the Court upon its own motion. Self-represented Plaintiff filed this prisoner civil rights action under 42 U.S.C. § 1983 on December 17, 2020. However, Plaintiff neither paid the \$400 court filing fee nor filed a motion to proceed *in forma pauperis* (or without prepayment of fees or costs), along with a certified copy of his account statement. *See* 28 U.S.C. § 1915(a). As such, the Court will allow Plaintiff twenty-one (21) days to either pay the full filing fee or file his motion to proceed *in forma pauperis* and account statement. His failure to do so in a timely manner will result in a dismissal of this action, without prejudice.

Accordingly,

IT IS HEREBY ORDERED that the Clerk is directed to mail to Plaintiff a copy of the motion to proceed *in forma pauperis* form for prisoners.

IT IS FURTHER ORDERED that Plaintiff must either pay the \$400 filing fee **or** submit a motion to proceed *in forma pauperis* within twenty-one (21) days of the date of this Order.

IT IS FURTHER ORDERED that if Plaintiff files a motion to proceed *in forma pauperis*, he must also file a certified copy of his prison account statement for the six-month period preceding the filing of the complaint.

IT IS FINALLY ORDERED that if Plaintiff fails to comply with this Order, the Court will dismiss this action without prejudice. If the case is dismissed for non-compliance with this Order, the dismissal will **not** count as a “strike” under 28 U.S.C. § 1915(g).

Dated this 30th day of December, 2020.

A handwritten signature in cursive script, reading "Sarah E. Pitlyk".

SARAH E. PITLYK
UNITED STATES DISTRICT JUDGE